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5 Attorney for Plaintiffs
6 **and on behalf of all parties**

7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA

9 DANIEL T. BRUMFIELD, M.D., and
10 DAINA RYCKMAN,

11 Plaintiffs,

12 v.

13 SDPD OFFICER MUNOZ,
SDPD OFFICER DAWSON,
14 SDPD OFFICER PIERCE,
SDPD OFFICER BOLLIG,
15 AMERICO A. ALBALA, M.D.,
MICHAEL E. MCMANUS, M.D.,
16 and DOES 1-20 inclusive,

17 Defendants.

Case No. 08-CV-958-WQH (NLS)

JOINT MOTION TO CONTINUE ENE
CONFERENCE

DATE: 8/26/08 @ 2:00
COURTROOM: F

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19 The parties to the instant case, by and through their attorneys of record, hereby
20 jointly move the Court to continue the ENE conference, presently set for August 26, 2008 at
21 2:00 p.m., to October 1, 2008 (in the morning calendar, if available)

22 As grounds for the request, the parties state that a hearing on Defendant ALBALA
23 and McMANUS' Motion to Dismiss the Complaint under F.R.C.P. 12(b)(6) is scheduled for
24 August 25, 2008 before District Judge Hayes. No oral argument is to be held unless
25 requested by the Court, so it is unknown when a ruling will be issued.

26 As such, the ENE should be continued until such time as it may be determined if

27 ///

28 ///

Defendants ALBALA and McMANUS will still be parties to the action.

Respectfully Submitted,

Dated: August 12, 2008

s/ Keith H. Rutman
KEITH H. RUTMAN
Attorney for Plaintiffs
Email: krutman@krutmanlaw.com

Dated: August 12, 2008

MICHAEL AGUIRRE, San Diego City Attorney

By: s/ Jane M. Boardman, Deputy City Attorney
Attorneys for Defendant San Diego Police Officers
Email: jboardman@sanidiego.gov

Dated: August 12, 2008

LA FOLLETTE, JOHNSON, DE HAAS,
FESLER & AMES

By: s/ Dennis Ames
Dennis Ames, Esq.
Attorneys for Defendants ALBALA and McMANUS
Email: dames@ljdfa.com

CERTIFICATE OF SERVICE

I certify that on August 12, 2008 I electronically filed the foregoing document with the clerk of court for the U.S. District Court, Southern District of California, using the electronic case filing (ECF) system of the Court, and thereby served it on all counsel of record in this case.

Dated: August 12, 2008

s/ Keith H. Rutman
KEITH H. RUTMAN
Attorney for Plaintiff
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